

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MELVIN R. ORTIZ,

Plaintiff,

-vs-

No. CIV 97-0738 JC/LFG

BRUCE BABBITT, Secretary,
Department of Interior

Defendant.

MEMORANDUM OPINION AND ORDER

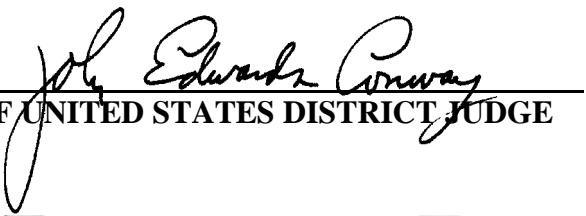
THIS MATTER came on for consideration of Plaintiff's Motion to Reconsider or Alter or Amend Judgment, filed February 8, 1999 (*Doc. 77*), and Plaintiff's Request for Oral Argument, filed February 12, 1999 (*Doc. 81*). The Court has reviewed the motions, memoranda and the relevant authorities. The Court finds that oral argument is not necessary and will deny Plaintiff's Request for Oral Argument on that basis.

The Court notes that it considered all of the arguments raised by Plaintiff before it granted summary judgment for Defendants. In particular, the Court considered Plaintiff's characterization of his leave request as an "emergency" and the nature of Plaintiff's responsibilities as a skilled GS-12 Realty Specialist. The Court also considered, and rejected, the possibility that the statistical evidence in the record could indicate systematic discrimination against Hispanics in granting leave requests. Plaintiff's Motion to Reconsider does not present any grounds that would justify reconsideration. Accordingly, Plaintiff's motion is not well taken and will be denied.

Wherefore,

IT IS ORDERED that Plaintiff's Motion to Reconsider or Alter or Amend Judgment, filed February 8, 1999 (*Doc. 77*), and Plaintiff's Request for Oral Argument, filed February 12, 1999 (*Doc. 81*), are **denied**.

DATED this 12th day of April, 1999.


John Edwards Conway
CHIEF UNITED STATES DISTRICT JUDGE

Counsel for Plaintiff: William J. Friedman
Santa Fe, New Mexico

Counsel for Defendant: Ronald F. Ross, AUSA
U. S. Attorney's Office
District of New Mexico
Albuquerque, New Mexico